

**SUPREME COURT MINUTES  
MONDAY, AUGUST 27, 2012  
SAN FRANCISCO, CALIFORNIA**

**S079656****BACIGALUPO (MIGUEL  
ANGEL) ON H.C.**

Opinion filed: habeas corpus granted, penalty reversed

The petition for writ of habeas corpus is granted insofar as it seeks relief from the judgment of death. The judgment of the Santa Clara County Superior Court in *People v. Miguel Angel Bacigalupo*, No. 93351, is vacated to the extent that it imposes a sentence of death. The petition's remaining claims that challenge petitioner's murder convictions or the special circumstance findings will be resolved by later order to be filed separately.

Upon finality of our opinion, the Clerk of the Supreme Court is to remit a certified copy of the opinion and the order to the Santa Clara County Superior Court for filing, and respondent Attorney General is to serve a copy of the opinion on the prosecuting attorney. (See Pen. Code, § 1382, subd. (a)(2); see also *In re Sixto* (1989) 48 Cal.3d 1246, 1265-1266; *In re Hall* (1981) 30 Cal.3d 408, 435, fn. 9.)

Majority opinion by Kennard, J.

-- joined by Cantil-Sakauye, C. J., Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

Concurring opinion by Liu, J.

-- joined by Cantil-Sakauye, C. J., Werdegarr, and Corrigan, JJ.

**S188204**

D055701 Fourth Appellate District, Div. 1

**PEOPLE v. ARANDA, JR.,  
(ANTHONY)**

Opinion filed: Affirmed in part, reversed in part

For the reasons discussed above, we reverse the judgment of the Court of Appeal insofar as it reversed defendant's conviction of active participation in a criminal street gang. In all other respects, the judgment is affirmed.

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Baxter, Werdegarr, Chin, and Corrigan, JJ.

Concurring and Dissenting Opinion by Kennard, J.

Concurring and Dissenting Opinion by Liu, J.

**S191868**      A127161 First Appellate District, Div. 5      **IN RE GREG F.**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed. The matter is remanded to that court for further proceedings consistent with this opinion.

Majority Opinion by Corrigan, J.

-- joined by Baxter, Werdegarr, and Chin, JJ.

Dissenting Opinion by Cantil-Sakauye, C. J.

-- joined by Kennard and Liu, JJ.

**S062180**

**PEOPLE v. VALDEZ  
(RICHARD)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to November 7, 2012, or the date upon which rehearing is either granted or denied, whichever occurs first.

**S200158**      H036501 Sixth Appellate District

**PEOPLE v. CLANCEY  
(WESLEY CIAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to September 10, 2012.

No further extensions of time are contemplated.

**S202790**      F057736 Fifth Appellate District

**PEOPLE v. JOHNSON  
(COREY RAY)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to November 6, 2012.

**S204397**    G044970/G044980 Fourth Appellate District, Div. 3    **NETJETS LARGE  
AIRCRAFT, INC. v.  
GUILLORY (WEBSTER J.)**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the replies to answer to petition for review is extended to September 7, 2012.

**S201031****GUILLORY ON DISCIPLINE**

Order filed – DOROTHY DAVIS GUILLORY

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201066****STEIN ON DISCIPLINE**

Order filed – JONATHAN GREGG STEIN

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201236****BAKER ON DISCIPLINE**

Order filed – GREGORY ALAN BAKER

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201284****SCOVIS ON DISCIPLINE**

Order filed – KIM DENNISE SCOVIS

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201290****NITSCHKE ON DISCIPLINE**

Order filed – PETER DAVID NITSCHKE

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201321****FALK ON DISCIPLINE**

Order filed - GREGORY PETER FALK

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201629****LI ON DISCIPLINE**

Order filed – JAMES HSIAOSHENG LI

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201634****CLARAMBEAU ON  
DISCIPLINE**

Order filed – ADLORE VIRGIL CLARAMBEAU

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201642****SPIEKER ON DISCIPLINE**

Order filed – DAVID MICHAEL SPIEKER

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201790****GUILIN ON DISCIPLINE**

Order filed – STEVEN ANTHONY GUILIN

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201804****PARK ON DISCIPLINE**

Order filed – PETER SUK PARK

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201886****ROSENTHAL ON  
DISCIPLINE**

Order filed – HAROLD JOHN ROSENTHAL

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S201897****EZEIFE ON DISCIPLINE**

Order filed – NWABUEZE CHUKWUEDOZ EZEIFE

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S202061****ELLOWITZ ON DISCIPLINE**

Order filed – JONATHAN RICHARD ELLOWITZ

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S202084****KITAY ON DISCIPLINE**

Order filed – ROBERT NORIK KITAY

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S202095****BERRY ON DISCIPLINE**

Order filed – MICHAEL IAN BERRY

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S202421****STOKES ON DISCIPLINE**

Order filed – G. CAT STOKES

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S202474****YAN ON DISCIPLINE**

Order filed – DEMAS W. YAN

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S202579****SCOVIS ON DISCIPLINE**

Order filed – JENNY SCOVIS

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S202866****GREENWALD ON  
DISCIPLINE**

Order filed – DAVID GREENWALD

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S202901****WALSH ON DISCIPLINE**

Order filed – MARK D. WALSH

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S203075****BOURGET ON DISCIPLINE**

Order filed – MARC JULES BOURGET

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S203570****MAU ON DISCIPLINE**

Order filed – CLIFFORD KEN MAU

On July 3, 2012, the Chief Trial Counsel of the State Bar of California filed a motion requesting the return of 24 disciplinary matters to the State Bar for further consideration. A list of the individual matters is attached to this order. The motion is untimely and, accordingly, is denied. (Cal. Rules of Court, rule 9.14(a)(1) &(4); Rules Proc. of State Bar, rule 5.58(F).)

**S203746****WANG ON DISCIPLINE**

Order filed – NATALIE DOR-DOR WANG

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**S201031****GUILLORY ON DISCIPLINE**

Remanded to State Bar – DOROTHY DAVIS GUILLORY

On the court's own motion, the following 18 matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silvertown* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

(See order for the 18 matters.)

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(See order for the 18 matters.)

**S202061****ELLOWITZ ON DISCIPLINE**

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(See order for the 18 matters.)

**S203746****WANG ON DISCIPLINE**

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On the court's own motion, the following 18 matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silvertown* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

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